



Practitioner's Docket No. 26401/09640

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Randy Jon Clark, et al.

Confirmation No. 8134

Application No.: 10/785,559

Group No.: 1732

Filed: 02/24/2004

Examiner: Mary Lynn F. Theisen

For: Thin-layer lignocellulose composites having increased resistance to moisture and methods of making the same

**RESPONSE UNDER  
37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT OR RESPONSE AFTER FINAL REJECTION--TRANSMITTAL**

1. Transmitted herewith is an amendment after final rejection (37 C.F.R. 1.116) for this application.

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

*(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**37 C.F.R. § 1.8(a)**

☒ with sufficient postage as first class mail.

**37 C.F.R. § 1.10\***

☐ as "Express Mail Post Office to Addressee"

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**TRANSMISSION**

☐ facsimile transmitted to the Patent and Trademark Office, (571) 273 - 8300.

  
Signature

Mim Voet

Date: July 11, 2007

\_\_\_\_\_  
*(type or print name of person certifying)*

*\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.*

## STATUS

2. Applicant is other than a small entity.

## EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

## FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col.1)		(Col. 2)	(Col. 3)	OTHER THAN SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE	ADDIT. FEE	
TOTAL	27	MINUS	57	= 0	x	\$ 50.00	= \$	0.00
INDEP	2	MINUS	3	= 0	x	\$ 200.00	= \$	0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM					+	\$ 0.00	= \$	0.00
TOTAL							\$	0.00
ADDIT. FEE								

\* If the entry in Col. 1 is less than the entry in Col. 2, write "O" in Col. 3,

\*\* If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

No additional fee for claims is required.

## FEE DEFICIENCY

5. If any extension and/or fee is required beyond the enclosed \$790.00 fee for the RCE filed herein, charge Account No. 50-2548.

If any additional fee for claims is required, charge Account No. 50-2548.

Date: July 11, 2007

Reg. No.: 54,717

Tel. No.: 864-250-2289

Fax. No.: 803-255-9831

Customer No.: 27530

  
\_\_\_\_\_  
Signature of Practitioner

Marcia T. Greci, Ph.D., Esq.

Nelson Mullins Riley & Scarborough, LLP  
1320 Main Street, 17th Floor  
Columbia, SC 29201  
U.S.



## Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Randy Jon Clark, et al.

Confirmation No.: 8134

Application No.: 10/785,559

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Filed: 02/24/2004

Examiner: Mary Lynn F. Theisen

For: Thin-layer lignocellulose composites  
having increased resistance to moisture  
and methods of making the same

**Mail Stop AF**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that the attached correspondence, comprising of:

1. Fee Transmittal for FY 2007 (2 pages)
2. Amendment or Response After Final Rejection – Transmittal (2 pages)
3. Request for Continued Examination (RCE) (3 pages)
4. Response to Office Action (10 pages)
5. Return Receipt Postcard,

is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

**Mail Stop AF**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

on July 11, 2007.

Mim Voet

**Signature of person mailing paper**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/785,559 Confirmation No. 8134

Applicant : Randy Jon Clark *et al.*

Filed : February 24, 2004

TC/A.U. : 1732

Examiner : Mary Lynn F. Theisen

Docket No. : 26401/09640

Customer No. : 27530

Deposit Account No. : 50-2548

Title : Thin-layer lignocellulose composites having increased resistance to moisture and methods of making the same

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Dear Sir:

This is a response to the Final Office Action mailed April 18, 2007, and is intended to be responsive to each and every issue raised in that Action. This response is filed concurrently with a Request for Continued Examination and the required fee. This document is believed to be timely in view of the three-month shortened statutory period for response that was stated in the Action.

**Amendments to the claims** are shown in the Listing of Claims that begins on page 2.

**Remarks / Arguments** begin on page 6 of this paper.